THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.23204 OF 2005

DATED:2.11.2005

Between:

P. Seshagiri Rao and others

…Petitioners

And

The District Collector

Nellore, Nellore District and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.23204 OF 2005

ORDER:

The petitioners are residents of Gottigundala Village, Kondapuram Mandal, Nellore District. They were allegedly assigned agricultural dry land by the Mandal Revenue Officer, Kondapuram, in April, 1991. They alleged that they have been in possession of the land and cultivating the land. It is their case that the third respondent along with his subordinates came and prevented the petitioners from carrying on agricultural operations. Therefore, they filed the present Writ Petition seeking a direction to respondents not to interfere with their possession.

Learned Assistant Government Pleader for Revenue (Assignment), after getting instructions in the matter, submits that all the assignments made by the then Mandal

Revenue Officer, Kondapuram Mandal during the period 1991 to 1993 were irregular and therefore the District Collector after following due process of law cancelled all the pattas in 1994. He also submits that the land was resumed already. He also asserts that notices were issued to petitioners. He, however, does not deny the possession of the petitioners. Learned counsel for the petitioners, Sri P.Ravi Shanker, however, denies the receipt of notices by the petitioners.

In view of the controversy as to whether notices were issued to petitioners or not, instead of keeping the matter pending, it would be in the interest of justice to dispose of the matter giving liberty to the Mandal Revenue Officer or any other revenue authority to issue notice to the petitioners and take appropriate action for resumption of the land if it is found that original assignment is irregular. If the petitioners are in possession of the land, there shall be status quo as on today.

The Writ Petition is accordingly disposed of.

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(V.V.S.RAO, J)

2.11.2005

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